



**Environmental Justice
Annual Implementation Progress Report**

March 2015

**U.S. Department of Agriculture
Washington, D.C.**



Purpose of Report

In fulfillment of the obligations outlined in the Memorandum of Understanding on Environmental Justice and Executive Order 12898, the U.S. Department of Agriculture (USDA) has completed this annual implementation progress report. The report outlines USDA's ongoing commitments to environmental justice, including participation in interagency collaboration. Pursuant to the memorandum, the report also outlines the Department's past efforts to revise its Environmental Justice Strategy (Strategy) and chart implementation progress.

Background

Environmental justice is the fair treatment and meaningful inclusion of all people, regardless of race, color, national origin, or income, with respect to the development, implementation, and the enforcement of environmental laws, regulations, and policies. Historically, low-income, minority and indigenous populations have carried some of the greatest human health and environmental burdens. In 1994, The White House issued Executive Order 12898, with the goal of focusing Federal attention on the environmental and human health conditions in these communities and advancing the cause of environmental justice. Under the Executive Order, Government agencies are required to assess the potential for disproportionately high, adverse human health impacts from actions taken by the Federal Government. Thus, the Federal Government is committed to addressing concerns that environmental problems are disproportionately affecting poor and marginalized communities in the United States.

In order to achieve environmental justice, all communities need the opportunity to participate as equal partners in environmental decisionmaking, assessments, planning, implementation, enforcement, and evaluation. USDA was one of the first Federal agencies identified in Executive Order 12898 to address the issue of environmental justice due to the broad sweep of the Department's agencies with respect to the environment. Given that the USDA's programs touch almost every American, every day, the Department is well positioned to lead in this effort.

Since 1994, USDA has acknowledged the importance of health and sustainability for environmentally overburdened communities. In addition to protecting environments from pollution, Federal agencies can also contribute to the health and prosperity of these communities by providing access to environmental, public health, and economic benefits. Today, environmental justice work at USDA involves meeting the needs of underserved communities by reducing disparate environmental burdens, removing barriers to participation in decisionmaking, and increasing access to environmental benefits that help make all communities safe, vibrant, and healthy places to live and work.

On September 22, 2010, the Federal Interagency Working Group on Environmental Justice (Interagency Working Group), led by the White House Council on Environmental Quality (CEQ) and the U.S. Environmental Protection Agency (EPA), reconvened for the first time in more than a decade. Later that year, the Interagency Working Group participated in the first White House



Forum on Environmental Justice. Environmental justice leaders from across the country attended the day-long event, along with several Cabinet members who helped to illustrate the Obama Administration's commitment to ensuring all Americans have strong Federal protection from environmental and health hazards.

Following the forum, the Interagency Working Group held several meetings to reinvigorate the provisions of the Executive Order on environmental justice. In August 2011, USDA Secretary Thomas Vilsack, along with 16 other Federal department and agency heads, signed a Memorandum of Understanding (MOU) on environmental justice. The purpose of the memorandum is to give agencies the appropriate support and momentum needed to move forward with environmental justice activities. Among other responsibilities, the MOU outlined the requirements for each Federal agency to review and update existing environmental justice strategies, "where applicable and as the agency deems appropriate," and provide annual implementation progress reports.

USDA's Environmental Justice Strategy

Building on momentum from the White House Forum, and in response to the needs outlined in the MOU, the USDA convened a meeting of key leadership from each mission area within USDA to form an environmental justice working group at the Department. This Departmental Working Group (DWG) began reviewing the Department's 1994 Strategy and revising the plan to reflect contemporary issues and opportunities.

USDA's previous Strategy outlined three goals to achieve environmental justice within the Department. The first goal was to issue a Departmental Regulation establishing USDA's environmental justice plan. The second was to incorporate environmental justice principles and objectives into relevant USDA programs, policies, and systems. The third goal was to ensure effective implementation of USDA's Environmental Justice Strategy. This approach helped to ensure that environmental justice principles and objectives were part of the day-to-day activities of USDA operations.

By intertwining environmental justice with Departmental programs, rather than creating new and costly programs and systems, USDA was able to effectively and efficiently meet many of the principles and objectives of environmental justice. Key accomplishments since 1994 include the establishment of the USDA Civil Rights Assessment and Implementation teams, development of the Environmental Justice Department Regulation, and the creation of a host of environmental justice investments through USDA's programs and loan activities.

Despite these many accomplishments, the USDA DWG concluded that the Department should pursue further work in support of environmental justice. Through efforts across agencies within the Department, the DWG updated and expanded the USDA's Environmental Justice Strategy.



USDA posted for public comment a draft of the new Strategy in December 2011. The DWG identified six goals related to expanding opportunities, capacity building, public participation, civil rights, employee training, and updates to regulations that will guide the Department's work on environmental justice moving forward.

As part of USDA's updated Environmental Justice Strategy, Secretary Vilsack required all USDA agencies to assign a Senior Executive Service (SES) employee as a point of contact for environmental justice. Additionally, environmental justice SES contacts have been charged on behalf of their agency to:

- Assure responsiveness to future inquiries and comments from environmental justice communities and their advocates;
- Ensure plan implementation by maintaining accountability within each agency to the USDA Environmental Justice Strategy performance measures;
- Keep key agency leadership apprised of environmental justice progress; and
- Serve as an advocate for environmental justice in agency planning, program implementation, monitoring, and policy.

In February 2012, USDA convened the first meeting of the agency environmental justice SES contacts to discuss implementation and reporting requirements along with training. The environmental justice SES training offered an overview of the basis for environmental justice in the Federal government, the requirements of Executive Order 12898, the definition of environmental justice, a synopsis of USDA's role and revised Strategy, and the leadership responsibilities of the SES contacts for environmental justice. Since that time, USDA agencies submit annual reports, and the DWG periodically meets to discuss implementation and potential interagency activities. Since 2014, Deputy Under Secretary Arthur "Butch" Blazer has led the DWG. The group will focus on potential revisions to the USDA Environmental Justice Strategy and opportunities for intradepartmental coordination and collaboration.

Implementation Progress

USDA agencies are focusing environmental justice activities in four broad areas:

- 1) Establish appropriate measurements to ascertain increased participation in technical and financial assistance programs by low-income, minority, tribal and underserved communities;
- 2) Target outreach for low-income, minority, and tribal communities, thereby improving access to USDA technical and financial assistance;
- 3) Ensure environmental justice is included in civil rights compliance reviews, the National Environmental Policy Act (NEPA) analysis and related outreach, as well as in agency public participation guidelines, and
- 4) Update USDA regulations, policies and guidance



These measures assure that agency actions will not have a disproportionate impact on low-income and minority communities. Examples of USDA agency initiatives and activities are outlined on the following pages:

Implementation of USDA's Environmental Justice Strategy

Establish appropriate measurements to ascertain increased participation in technical and financial assistance programs by low-income, minority, tribal, and underserved communities:

Since its inception in 2010, USDA's StrikeForce for Rural Growth and Opportunity (StrikeForce) has partnered with more than 500 community organizations, businesses, foundations, universities, and other groups to support almost 129,000 projects, ushering close to \$16.3 billion in investments into rural America. In fiscal year (FY) 2014, USDA obligated more than \$6.5 billion through a mixture of almost 48,400 loans, grants, and contracts.

It is estimated that more than 7 million people live in poverty in rural areas. Over the past decade, the poverty rate for nonmetropolitan areas has steadily increased, from 14.8 percent in 2000 to 17.0 percent in 2011. High poverty and persistent poverty counties are disproportionately rural. Of the 386 persistent poverty counties, 88 percent of them are rural. An added concern is that a higher percentage of minorities in rural areas are living in concentrated poverty. Approximately 67 percent of impoverished African Americans live in rural, high poverty counties. Data also suggests that rural areas face more formidable barriers than urban counterparts in overcoming poverty. Unfortunately, poverty often has the most detrimental impact on people who are the most vulnerable, including children, the elderly, and people with disabilities. The overall rural child poverty rate is 22 percent, and for some groups that number is much higher. For instance, the poverty rate for African American children in rural communities is an astounding 45 percent. Economic conditions in very poor areas can create limited opportunities for residents and, as a result, can generate chronic conditions that recur generation after generation.

StrikeForce addresses persistent rural poverty in 880 counties, parishes, boroughs, and census areas within Alabama, Alaska, Arizona, Arkansas, Colorado, Georgia, Kentucky, Louisiana, Mississippi, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, and Puerto Rico.

The USDA StrikeForce Team includes representatives of the Agricultural Marketing Service (AMS), Farm Service Agency (FSA), Food & Nutrition Service (FNS), Forest Service (USFS), National Institute for Food and Agriculture (NIFA), Natural Resources Conservation Service (NRCS), Risk Management Agency (RMA), and Rural Development (RD), with additional technical support from the Office of Tribal Relations, Office of Advocacy and Outreach, and the Office of Faith-based and Neighborhood Partnerships. These agencies continue to seek new ways to collaborate and leverage their resources. Additionally, many other partners, such as the Land-Grant Institutions, community and faith-based organizations, non-profit groups, local, State and tribal governments, foundations, and private entities contribute immensely to the success of StrikeForce awareness, implementation, and marketing.



USDA's efforts to increase participation in technical and financial assistance programs by low-income, minority, tribal, and underserved communities include:

- In FY 2014, RD Programs invested \$5.2 billion in StrikeForce areas through 28,578 loans, grants, combos and contracts. More than 7,500 jobs were created, saved and/or retained through RD's Rural Business Service. And nearly 126,000 homeowners and tenants have been served through RD housing programs.
- In FY 2014, NRCS obligated more than \$286 million through nearly 11,900 conservation practice system financial assistance contracts in designated StrikeForce areas. Almost 30,000 applications were received by NRCS in FY 2014, a 61 percent increase over FY 2013.
- In FY 2014, RD invested \$290.8 million to benefit the Native American and Alaska Native communities, including:
 - \$162.8 million from the Rural Housing Service with \$12.8 million devoted to Community Facility Program loans and grants;
 - \$41.3 million in Rural Business Service grants; and
 - \$86.7 million in Rural Utility Service (RUS) investments, including \$23.4 million in electric infrastructure financing and \$53.3 million in Water and Waste infrastructure loans and grants.
- In FY 2014, RD's RUS approved \$207.5 million in loans to rural electric systems serving more than 10,000 Native American consumers in 6 states.
- The USDA High Energy Cost Grant Program approved more than \$6.2 million in grants to entities serving Native American and Alaska Native communities. These grants are awarded to communities with average home energy costs exceeding 275 percent of the national average. The awards included:
 - Alaska Village Electric Cooperative of Anchorage received a grant of \$2.5 million for construction of electric inter-tie linking the Native villages of New Stuyahok and Ekwok to stabilize energy costs and improve reliability.
 - Alaska Village Electric Cooperative received a second grant of \$358,800 to replace a 23-year old generator with a new high-efficiency generator, thereby reducing fuel use, and increasing reliability for the Native Village of Noatak.
 - Sacred Power Corporation of Albuquerque, New Mexico, a Native American-owned business, received a grant of \$1 million to install off-grid solar photovoltaic units to power remote homes in the Aneth Chapter of the Navajo Nation in Utah.
 - The Denali Commission of Anchorage Alaska received \$2.3 million to support energy projects in rural Alaskan communities where energy costs are high.
- In FY 2014, the AMS Specialty Crop Block Grant Program (SCBGP) awarded almost \$67 million for 838 projects in the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to enhance the competitiveness of specialty crops. Of the \$67 million awarded, \$1.8 million was allocated to 22 projects benefitting underserved



communities, and \$3.9 million was allocated to 62 projects aiding beginning, socially disadvantaged, and limited resource farmers.

- Farmers Market and Local Food Promotion Program (FMLFPP) awarded close to \$27 million to establish, improve, and support more than 370 local food system projects (farmers markets, community supported agriculture (CSA), food hubs, etc.) within the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico. Eligible entities under FMLFPP include agricultural cooperatives, agribusinesses, cooperatives, CSA networks, CSA associations, producer networks and associations, local and tribal governments, nonprofit corporations, public benefit corporations, economic development corporations, and regional farmers' market authorities. Of the 370 AMS awarded projects, 64 percent were awarded to projects in low food access communities.
- USDA awards more than 50 percent of its Federal nutrition program eligible contracting dollars to small businesses. Specifically, AMS works closely with Native American-owned businesses to help them become eligible vendors. Native American-owned businesses qualify as 8(a) organizations under Small Business Administration rules. The goal of the 8(a) program is to help socially- and economically-disadvantaged entrepreneurs gain access to the economic mainstream of American society. In 2014, USDA purchased more than 2.1 million pounds of food, valued at \$3.5 million, from two Native American companies. A third Native American vendor was approved to provide bison and a purchase is planned after orders are received from Indian Tribal Organizations through the Food Distribution Program on Indian Reservations.
- In September 2014, AMS awarded project contracts to 13 diverse organizations that are now advancing the National Organic Program's Sound and Sensible initiative by removing barriers to certification and streamlining the certification process. Additionally, targeted outreach and technical assistance directly touches rural farmers, Hispanic farming populations, Amish/Plain populations, and small farmers across the country.
- For a third year, USFS will partner with the EPA and provide funding to the National Fish and Wildlife Foundation to support competitive field grants for communities engaged in urban watershed restoration and community revitalization through the Urban Waters Federal Partnership. More than \$2 million in grant-making to local communities supports urban watershed revitalization in communities of need, with a priority placed on environmental justice in high poverty communities. Funders include the USFS, EPA, U.S. Fish and Wildlife Service, FedEx, Southern Company, and Bank of America. Applicants may also request assistance from the Corporation for National and Community Service to compete for a AmeriCorps VISTA placement
- In 2014, USFS formalized program direction for the Chief's Climate Advisor's Office (CCAO) that specifically emphasizes Tribal Adaptation Partnerships to assist tribal communities prepare for and recover from the impacts of climate change. The program will allow regions and stations to partner with tribes in their respective geographic areas to develop at least one flagship partnership in each Region. These partnerships integrate traditional tribal knowledge with scientific information into actions that build ecological, social, and economic resilience.



- The CCAO provided \$60,000 to USFS collaborators, the Institute for Environmental Professionals and the Pacific Northwest Tribal Climate Project to train tribes in development of climate adaptation plans. In 2014, a four-part webinar series was delivered to tribes in addition to a two-day, onsite training session in Portland, Oregon. Twenty-six participants representing 12 tribes and intertribal organizations completed the onsite training in climate adaptation planning.
- USFS Chief's Climate Advisor's Office facilitates technology transfer to tribes through science partnerships and the Climate Change Response Framework (CCRF) that is delivering locality-driven, site-specific adaptation strategies. The CCRF has been developed with the Menominee Nation, Bad River Band, Fond du Lac Band, Stockbridge-Munsee Band of Mohican Indians, Keweenaw Bay Indian Community, Sault Ste. Marie Tribe, Nottawaseppi Huron Band, Grand Portage Band of Lake Superior Chippewa, Red Lake Nation, in addition to several multi-tribe workshops. Furthermore, USFS continues to support of the newly-formed Climate Subgroup of the White House Council on Native American Affairs in the development of a tribal climate agenda for Federal agencies and inclusion of USFS programs and technology transfer opportunities.
- The USFS and the Intertribal Timber Council developed training to enhance implementation of the 2004 Tribal Forest Protection Act (TFPA), with the goal of improving forest health. Through a cooperative agreement, the USFS provided \$302,800 to carry out this project. Indian tribes and the USFS share nearly 4,000 miles of common border and long-term stewardship responsibilities for the forests entrusted to their care. The TFPA enables tribes to propose treatments to USFS lands, which would help protect tribal lands from threats such as fire and insects. Through implementation of the training recommendation, improvements will be made to the overall understanding and utilization of the TFPA, leading to better protection of tribal and USFS resources.
- NRCS delivered financial and technical assistance and outreach to socially-disadvantaged and beginning farmers and ranchers, as well as limited resource producers. NRCS established separate funding pools and greater incentives for these target groups, which allowed them to compete on a more equal basis. Through NRCS programs, up to 90 percent cost-share is available for these target groups. Also, a 5 percent set-aside for Environmental Quality Incentives Program (EQIP) payments and Conservation Stewardship Program (CSP) acres is accessible to socially-disadvantaged and beginning farmers and ranchers. Thirty percent advance payments were afforded to socially-disadvantaged, beginning, limited resource, and veteran farmers and ranchers. As a result of the 2014 Farm Bill, that percentage was raised to 50 percent. These efforts provide more incentives for these groups to participate and afford them greater upfront cost capacity for conservation practice installations. Funding to these groups has increased annually for the past several years. In addition to EQIP and CSP, Agricultural Management Assistance Program (AMA), Wildlife Habitat Incentive Program (WHIP), and Agricultural Water Enhancement Program (AWEP) funds were provided. Awards to the targeted groups are as follows:



- Socially-Disadvantaged Farmers and Ranchers – 3,700 contracts for 2.3 million acres of conservation treatment with \$99.5 million in financial assistance.
- Limited Resource Producers –1,000 contracts treating nearly 282,000 acres with conservation practices and \$20.3 million in financial assistance.
- Beginning Farmers and Ranchers – 8,800 contracts treating 1.9 million acres with conservation practices and \$204.6 million in financial assistance.

Target outreach for low-income, minority, and tribal communities, thereby improving access to USDA technical and financial assistance:

USDA's efforts include:

- In FY 2014, the RD Water and Environment Program established a new Special Evaluative Assistance Rural Communities and Households (SEARCH) grant goal to increase outreach in underserved and high poverty areas, many of which have high minority populations. SEARCH provides predevelopment planning grants for financially-distressed communities in rural areas with populations of 2,500 or fewer inhabitants for water and waste disposal projects. More than 120 grants were awarded for \$3.2 million.
- In order to ensure an institutionalized, cost effective, predictable Tribal Consultation process, RD hosts Tribal Consultation teleconferences/ webinars. RD hosted these Tribal Consultation webinars/teleconferences on:
 - December 17, 2013 – RD and FSA NEPA Policies and Procedures
 - April 2, 2014 – 2014 Farm Bill and RD Tribal Consultation Priorities
 - August 21, 2014 – Section 6012 “Rural Business Development Grant Program” and Section 6025 “Strategic Economic and Community Development” of the Agricultural Act of 2014 (2014 Farm Bill).
- Iowa's Rural Housing State Office staff focused outreach on high poverty census tracts, specifically those areas with a poverty rate of 15 percent or more. This effort included the delivery of 10 realtor Continuing Education Unit (CEU) programs in market areas that include a high poverty census tract, and approximately 40 outreach efforts with an audience or partner whose area of focus or service included a census tract with at least 15 percent poverty. On June 5, 2014, Iowa's Housing Program Director presented information about multi-family housing and single-family housing opportunities to the Iowa Homeless Symposium in an effort to educate approximately 50 targeted groups, including very low income housing assistance providers for the homeless and homeless veterans. RHS increased outreach efforts to Iowa's Hispanic population by conducting a housing program outreach campaign for Hispanic applicants and advertising for six months in two Spanish-language newspapers. RHS utilized Iowa's first bilingual Housing Specialist, who meets with Hispanic advocacy groups and service providers. And, RHS assisted Spanish-speaking housing applicants by providing interpretive services and technical assistance throughout the application process.
- The Oregon RD State Office led development of a Rural Energy for America Program (REAP) Spanish-language brochure and made the document available to all RD state



offices. In Oregon, the materials were distributed in both English and Spanish to a variety of partners and service providers working with Hispanic rural businesses, farmers, and ranchers.

- The Oregon RD State Office also initiated a partnership with Warm Springs Tribal Credit Enterprise to conduct outreach and provide application assistance for the Section 504 Home Repair Loan and Grant Program to very low-income residents of the Confederated Tribes of Warm Springs Reservation of Oregon. Through the effort, three tribal elders received loan and grant funds to make critical repairs on their owner-occupied homes. This is the first time the program has been used by residents on this reservation.
- In FY 2014, the AMS Farmers Market and Local Food Promotion Program (FMLFPP) conducted extensive outreach efforts to potential applicants, including minority and socially-disadvantaged organizations, about available funding opportunities. Funding priority under FMLFPP was given to projects that increased domestic consumption of, and access to, locally- and regionally-produced agricultural products, and funding priority was also given to develop new market opportunities for farm and ranch operations serving local markets in low-income/low-access communities and Promise Zones. Outreach activities included informational webinars, partnering with agricultural organizations to communicate grant opportunities, and grant application webinars.
- AMS conducted an extensive outreach effort in StrikeForce counties to introduce minority and socially-disadvantaged farming communities across the country to the benefits of Good Agricultural Practices (GAP) certification. AMS hosted two webinars for 350 individuals, covering the food safety verification program for GAP. They targeted producers who grow, pack, ship, or sell fruits and vegetables. AMS will be hosting a third GAP webinar later in 2015. GAP certification is important to farmers because many large-volume buyers, traders, and retailers require certification for their suppliers.
- AMS representatives attended all meetings of the USDA Native American Working Group, which provided guidance to agencies on opportunities to build coalitions with Native American and Alaska Native farmers and ranchers. AMS is one of the first USDA agencies to implement quarterly tribal consultations. In 2014, four tribal consultation sessions were held (March 10, June 11, September 10, and December 3). These quarterly tribal consultation sessions provide an opportunity to highlight AMS programs and services as well as discuss upcoming rule-making of interest to this important stakeholder group.
- AMS has conducted significant outreach to build diversity on research and promotion program boards, including working with the National Black Growers Council and other minority groups. AMS developed outreach materials and ensures that information about nominations is widely communicated to all of our stakeholders. AMS has also hosted diversity training for members of the Commodity Research and Promotion Board in both 2014 and 2015. In 2014, an AMS representative met with the Secretary's Small and Beginning Farmers and Ranchers Advisory Committee to present information on the Agency's programs and services and assist with finding qualified candidates for Research and Promotion program board openings.



- Two Organic Certification Cost-Share Programs are available to certified organic farmers and ranchers in 50 States. AMS conducts outreach to encourage eligible organic farmers and ranchers, especially minority and socially-disadvantaged farming communities, to access the more than \$11 million in assistance. Outreach activities included conference appearances, direct mailings, and articles in newsletters and other publications. State departments of agriculture reimburse eligible farms and businesses across the country through the Organic Certification Cost Share Programs. This non-competitive grant reimburses certified organic farmers and businesses for as much as 75 percent of their organic certification costs, up to a maximum of \$750 a year. This assistance can offset the majority of certification costs for small and disadvantaged farmers.
- NRCS developed a National 2014 Farm Bill Outreach Strategy to ensure equal access to all programs and services for all historically underserved groups. NRCS is partnering with 12 community-based organizations through cooperative partnership agreements to assist new immigrant farmers, specialty crop farmers, and limited resource and socially-disadvantaged farmers and ranchers with technical assistance, onsite demonstrations, program awareness, inner-city urban agriculture, land-loss prevention, and training opportunities. Examples of the cooperative partnerships include the following:
 - To address property issues faced by many African Americans in the South, who are heirs, NRCS and the Office of the Assistant Secretary for Civil Rights (OASCR) completed a Cooperative Agreement with the U.S. Endowment for Forestry and Communities. The agreement allows NRCS and the Endowment to coordinate efforts as it relates to Sustainable Forestry and African American Land Retention. The Endowment will also collaborate with OASCR to provide educational training on best practices for mitigating heirs' property as a barrier to participation in USDA programs in additional states not currently involved in the Land Retention Program.
 - A cooperative agreement was developed with McIntosh SEED to provide outreach, services, and improved delivery of USDA and NRCS 2014 Farm Bill programs in targeted StrikeForce counties in the Mississippi Delta and South Georgia.
 - Another cooperative agreement was established with the Black Family Land Trust to increase participation in USDA programs through: 1) sustainable agricultural production, 2) entrepreneurship, 3) land asset protection through reduction of heirs property barriers to program participation, and 4) education on USDA various tools and programs.
 - NRCS is partnering with three tribal entities to conduct face-to-face educational meetings and workshops with tribes and their members to explain 2014 Farm Bill programs. These entities assist by identifying barriers within the 2014 Farm Bill that impede Tribes and their members from participating, and they provide the agency with verifiable data to assist agency leadership in eliminating barriers of program participation.
 - In order to expand NRCS outreach efforts and ensure effective services to Indian Tribes, NRCS developed and carried out a 2014 Farm Bill Tribal Collaboration Plan. Tribal leaders from all 566 federally-recognized Tribes were personally



invited to participate in one of the eight Farm Bill webinars. Tribal leaders were offered access to NRCS offices to participate in the webinars.

- NRCS uses all forms of written communication, social media, and traditional media to communicate with our historically underserved customers. NRCS has produced numerous pamphlets, documents, press releases, memorandums, and displays in a variety of languages. Twenty State offices have published NRCS information in non-English languages. The most common language is Spanish, but materials are translated into Russian, Hmong, Korean, Vietnamese, Mandarin, Japanese, Portuguese, and some Tribal languages. NRCS's social media presence includes YouTube videos produced in Spanish and Korean, Twitter posts in Spanish, and NRCS Facebook messages in other languages.
- The USFS, the Arbor Day Foundation, and Dimensions Educational Research Foundation have partnered to develop Nature Explore (NE) Outdoor Classrooms in urban areas with the most critical need for natural spaces and quality learning opportunities for underserved children (low-income, at-risk, and ethnically diverse), giving them hands-on, daily connections with nature. Approximately \$300,000 in State and Private Forestry funding was invested in the Nature Explore sites that serve low-income, underserved, at-risk community centers in places such as Denver, Colorado and Vancouver, Washington.
- USFS launched the Descubre el Bosque (DEB), "Discover the Forest" social media campaign, investing \$36,000 annually in USFS funding. Providing social media in Spanish promotes individual and family participation on National Forests & Grasslands, with over 100,000 page views each month between Facebook and Twitter reaching the Spanish-speaking population in exciting and creative ways, and thus helping them utilize and enjoy national public lands.
- USFS published the guide "Start a Partnership with the USDA Forest Service or Obtain Federal Financial Assistance: A Guide for Tribal Governments." The Guide, written from a tribal perspective, providing authorities and procedures that tribes can use to partner with Forest Service, including all Deputy Areas.
- As a part of the Beaver Damage Management program, the Animal and Plant Health Inspection Service (APHIS) assisted the:
 - Sokaogan Chippewa Community in protecting coldwater ecosystems and wild rice lake beds;
 - Red Cliff Tribe with dam removal on a Lake Superior tributary stream using Great Lakes Restoration Initiative funding (Focus Area of "Fish Passage");
 - Bad River Tribe with resolution of beaver flooding problem that threatened a road and recycling center under a cooperative service agreement;
 - Great Lakes Indian Fish and Wildlife Commission in wild rice protection for ten wild rice lakes under a cooperative service agreement; and,
 - Turtle Mountain Tribe of the Chippewa, where APHIS removed dams to protect road infrastructure. Numerous roads that were once impassable are now available for normal use by local residents.
- Across the country, APHIS projects seek to reduce the damage and populations of feral swine by continuing to provide technical assistance and direct control in reducing damage to tribal resources.



- APHIS sent letters to tribal Leaders and hosted a tribal conference call to explain actions being taken to combat the spread of emerging swine diseases, particularly swine enteric coronavirus diseases. Tribal participation was incorporated into preparation of an interim rule.
 - APHIS participated in a tribal outreach workshop for 38 Native American Tribes and Nations to discuss feral swine damage management in Oklahoma.
 - In New Mexico, APHIS aided the Mescalero Apache Tribe in the purchase of supplies and materials for feral swine eradication.
 - APHIS continues to provide technical assistance to the Chickasaw Nation, Choctaw Nation, Creek Nation, and the Cherokee Nation for feral swine damage management, including diseases transmitted by feral swine, raccoons, beaver, and coyotes. Currently the Chickasaw Nation is a member of the Feral Swine Task Force.
- The APHIS National Rabies Management Program prevents the further spread of wildlife rabies by distributing oral rabies vaccination (ORV) baits that target wild animals. This cooperative program targets the raccoon variant, canine variant in coyotes, and a unique variant of gray fox rabies.
 - APHIS representatives in Massachusetts, Connecticut, and Rhode Island cooperated with Mashpee Wampanoag Tribal Natural Resource officials to incorporate all tribal lands in the ORV program, reaching approximately 1,400 enrolled members.
 - Site visits with Mashpee Wampanoag Tribal Natural Resources staff included installation of six ORV bait stations.
 - APHIS in Arizona is maintaining a rabies specialist for the Navajo Nation and a cooperative Wildlife Specialist for the White Mountain Apache Tribe.
 - APHIS sponsored travel for the Navajo Nation Tribal Veterinarian to attend the “Rabies in the Americas” conference (Toronto, Canada, October 2013) and the National Rabies Management Team Meeting (San Antonio, Texas, April 2014).

Ensure environmental justice is included in civil rights compliance reviews, NEPA analysis and related outreach, and in agency public participation guidelines:

USDA’s efforts include:

- Reviews of APHIS’ outreach plans and Civil Rights Impact Analyses (CRIA) include consideration of low-income, minority, and Tribal communities. These civil rights efforts are designed to protect the interests of environmental justice communities and ensure access to information by members of environmental justice communities. A CRIA identifies the scope, intensity, direction, duration, and significance of civil rights effects to identify whether a decision has an adverse impact on any protected class of persons, or member(s) of any protected class, who would be subject to the regulation. Each CRIA also includes an outreach plan to ensure information about the regulation is provided to underserved groups.



- RD Civil Rights Compliance is conducting 15 reviews to: ensure that policy and procedures are being followed for all USDA federally-conducted and assisted programs and activities; evaluate employment and program delivery processes, policies, and functions; determine Civil Rights and Equal Opportunity compliance; and to provide direction, guidance, and technical assistance to RD managers, supervisors, and State Civil Rights Managers and Coordinators to correct any Civil Rights and/or Equal Opportunity compliance deficiencies.
- NRCS conducts ten Civil Rights Compliance Reviews annually to: ensure that policy and procedures are being followed for all USDA federally-conducted and assisted programs and activities; evaluate employment and program delivery processes, policies, and functions; determine Civil Rights and Equal Opportunity compliance; and to provide direction, guidance, and technical assistance to NRCS managers and supervisors to correct any Civil Rights and Equal Opportunity compliance deficiencies. During the NRCS Civil Rights Compliance Reviews a request is submitted for State offices to identify specific environmental justice considerations addressed when implementing NRCS federally-conducted and/or federally-assisted programs.
- NRCS developed a webinar to assist conservation planners, partners, and technical service providers in understanding the importance of environmental justice, and how to properly analyze and document existing conditions and the effects of planned conservation actions for NEPA compliance. Primary topics included: legal foundations, information/data sources, tools, mitigation measures, and documentation requirements. To date, 132 participants have viewed the webinar and a recording is available to meet ongoing training needs.
- The Farm Service Agency (FSA) NEPA regulations rewrite and handbook have been published in draft form through the *Federal Register*. FSA anticipates that the NEPA regulations will be published as final by the end of FY 2015. These new regulations and handbooks will reflect departmental environmental justice policies.
- The RD Civil Rights office worked with the Office of the Assistant Secretary Civil Rights on the review and concurrence of a Civil Rights Impact Analysis to ensure that the 2014 Farm Bill regulations and program changes considered and implemented necessary measures to mitigate environmental impacts. RD Civil Rights completed 13 compliance reviews in 13 states. RD State offices completed 578 pre-award and 3,351 post-award compliance reviews.
- RD was the first agency to receive approval (May 6, 2014) from OASCR on the Limited English Proficiency (LEP) Plan. The LEP Plan is integrated at all program levels so individuals who have limited English proficiency can have adequate access to programs and services.
- Of the nearly 80 regulatory work plans submitted in FY 2014 by APHIS programs to the Policy and Program Development (PPD) staff for regulatory support, 30 were administrative actions that did not trigger an environmental justice analysis and 48 were potential candidates for an environmental justice review. APHIS reviewed 10 of these for environmental justice concerns. One review focused on the rulemaking involved in imports of beef from Argentina. This high-profile rulemaking is a part of an ongoing World Trade Organization complaint lodged by Argentina, and has the potential to



impact minority and underserved domestic producers of beef. Other reviews focused on trade actions to determine if they have potential environmental justice concerns, such as importations of fruits (citrus and apples) from China and figs from Mexico. As of the end of FY 2014, six of the ten environmental justice reviews were complete.

Additionally, APHIS created workflows to 1) ensure that there is reviewing process consistency across dockets involving import actions and interstate movement and 2) improve efficiency and effectiveness of the reviews. APHIS utilizes a Standard Operating Procedure for Policy and Program Development's Review of Agency Regulatory Work Plans for Environmental Justice Concerns.

- APHIS State programs conduct State or local level environmental analyses of their proposed operational activities. Additionally, APHIS maintains lists of interested parties and organizations (stakeholders), contacts of these entities that propose activities in their area, and encourages them to comment. For many programs, procedures and mitigation measures outlined in the NEPA documents communicate potential adverse impacts and measures APHIS would implement to reduce or eliminate those impacts from minority and low-income populations. APHIS encourages Tribal governments to provide early input into the NEPA process and if necessary, initiate formal consultations with APHIS.
- The USFS requires field units to maintain and increase diversity on all boards, committees, and ad hoc groups related to program delivery. Coordinators for these groups strategize their communications and outreach efforts to encourage diversity. Since the renewal of advisory committees, there is a requirement to develop a Civil Rights Impact Analysis, thus units have paid particular attention to the demographics of membership.
- The Office of Civil Rights and the USFS Office of Regulatory and Management Services Staff provided guidance to Designated Federal Officials by conducting Civil Rights Impact Analysis Training and Federal Advisory Committee Training through webinar technology.
- The USFS LEP Plan was signed by Chief Tidwell June 16, 2014. Communications and literature developed by USFS for the public is provided in the appropriate format and medium to meet the language needs of customers with limited English proficiency. The Forest Service's final directives for the 2012 Planning Rule were published with direction for outreach to low-income and minority populations and to engage diverse and often underserved stakeholders in innovative ways. To help forests successfully outreach to environmental justice communities, an implementation guide, "Environmental Justice & the 2012 Planning Rule," was developed. This guide provides more detail on how to conduct outreach with environmental justice communities and how to incorporate environmental justice concerns into forest planning processes.
- The Forest Service Environmental Justice Board developed a new internal Web page for agency environmental justice guidance, resources, and projects. The Website provides valuable tools and resources to employees in the field to help create a broader, more inclusive program that includes bringing environmental justice communities into planning processes and developing projects to improve the lives of environmental justice communities.



- The USFS training program - Environmental Justice and NEPA Training Course and Manual - provides the fundamentals of environmental justice and outreach to environmental justice communities, specifically when conducting NEPA for USFS projects. The manual includes Departmental Regulation 5600-2, Departmental Regulation 5600-Q&A, Executive Order 12898, Executive Order 12898 Fact Sheet, Q&As regarding Environmental Justice, step-by-step guidance following the NEPA process, case studies, worksheets, lessons learned from appeals and litigation, and definitions of important terms. The guide was completed in the winter of 2013. Four companion webinars introduced environmental justice topics and trained employees to use the guide. Over 500 employees were reached in these efforts.

Update USDA Regulations, Policies and Guidance:

- The NRCS General Manual 400-400 now includes environmental justice as part of the public participation process and encourages special efforts to reach all segments of the population.
- FSA requires that all new or updated rules and regulations are reviewed by the NEPA staff to ensure that they are compliant with NEPA and include environmental justice. FSA will ensure that all new or updated regulations resulting from any new Farm Bill will have NEPA compliance language which will include environmental justice.
- RD is currently reviewing its environmental regulations as part of an internal streamlining and business process review effort. RD published proposed rules and the public has made significant comments. RD expects to publish final rules in the next fiscal year. RD requires consideration of environmental justice impacts on minorities and low-income populations in its environmental reviews. Additionally, RD regulations and loan documents require all borrowers to comply with Federal civil rights regulations and impose an obligation on borrowers to make a diligent effort to extend service to all underserved persons in its service territory.

Interagency Efforts

The Interagency Working Group is working to facilitate the active involvement of all Federal agencies in implementing EO 12898 by minimizing and mitigating disproportionate negative impacts while fostering environmental, public health, and economic benefits for overburdened communities. Federal agencies have made significant progress towards fulfilling the promise of EO 12898 under the leadership of EPA and the White House Council on Environmental Quality (CEQ). In August 2011, the Interagency Working Group identified and initiated efforts in four areas of focus: (1) implementation of the National Environmental Policy Act (NEPA); (2) implementation of Title VI of the Civil Rights Act of 1964, as amended; (3) impacts from climate change; and (4) impacts from commercial transportation and supporting infrastructure (“goods movement”).

The Interagency Working Group will continue to focus its efforts on the four focus areas identified in the MOU and continue to conduct listening sessions. In addition, the Interagency



Working Group established a committee on regional activities. The Interagency Working Group will also support the President's Climate Action Plan. Specific activities include:

Community Engagement: Federal agencies will hold at least two listening sessions with communities to, among other things, evaluate the effectiveness of agency environmental justice strategies and seek recommendations on how agency efforts can be improved.

NEPA Committee: The NEPA Committee is improving the effectiveness, efficiency and consistency of the consideration of environmental justice in the NEPA process through the sharing of best practices, lessons learned, training, and other tools. Since its inception in May 2012, the NEPA Committee has taken several steps toward achieving its mission. The Committee published an electronic compendium of publicly-available NEPA and environmental justice-related documents from almost twenty Federal agencies on the Interagency Working Group Website. Key references from this Environmental Justice and NEPA Agency Resource Compendium are also included on EPA's NEPA Webpage. In addition, the NEPA Committee conducted a cross-agency training series on existing tools, methods, and agency-specific focal areas. The Community of Practice Subcommittee is compiling a best practices approach that efficiently and effectively considers environmental justice in NEPA reviews. The Education Subcommittee has conducted a review of existing Federal agency training materials on environmental justice and NEPA and is using this assessment to produce a national NEPA training module on NEPA and environmental justice with the focus on effective environmental justice analysis in the NEPA process.

Moving forward, the Committee will continue to advance cross-agency understanding of opportunities to advance environmental justice through increased awareness of challenges, articulation of best practices, training on NEPA and environmental justice topics, and other measures. Altogether, these efforts will continue to provide Federal officials at all levels with a foundational understanding of NEPA's role in addressing environmental justice through assessment, consideration of alternatives, avoidance, and mitigation during the NEPA review process.

Goods Movement Committee: The Goods Movement Committee assists agencies in reducing the environmental and health effects of goods movement on overburdened communities and increased opportunities for these communities to benefit from goods movement efforts. In 2013, the Goods Movement Committee focused on identifying Federal programs, policies, and activities that are related to goods movement and that impact overburdened communities, developing better partnerships with community groups, and identifying issues that most concern impacted communities. Moving forward, the Committee will continue developing partnerships with communities and begin supporting the integration of environmental justice into specific agency efforts.

Title VI Committee: The Title VI Committee acts as a resource to help agencies connect their civil rights enforcement responsibilities with their efforts to achieve environmental justice. In 2013, the committee surveyed agencies to determine the extent to which Title VI complaints have included environmental justice issues and evaluated the relationship between Title VI and



environmental justice. Moving forward, the committee plans on posting a Webpage on the Environmental Justice Interagency Working Group Website that articulates the interrelationship between Title VI and environmental justice and will identify opportunities for interagency collaboration.

Regional IWG Committee: The Regional Interagency Committee (RIWG) responds to communities at the local and regional level. In 2013, the RIWG Committee finalized a concept for integrating its vision, goals, membership, organization, and key principles. This internal concept will help guide the RIWG in the process of forming regional workgroups (designed around the EPA regional structure) and working with existing workgroups. The goals of these workgroups are to better address issues, concerns, and recommendations that may result from public engagement at the local and regional levels and to increase cooperation across Federal agencies in support of Executive Order 12898. The Committee also intends to help respond to environmental justice issues or concerns in a more timely and unified manner, to help build community capacity, and to leverage the resources of Federal, State, tribal and local agencies, individual communities, the private sector, and non-governmental organizations for environmental justice work. The Committee is moving forward with identifying and selecting cross-government collaborations to aid communities.

Public Comments Received

The USDA received nearly 100 comments reflecting diverse perspectives and valuable suggestions on the Department's Environmental Justice Strategy. Responses to comments were included in the Department's inaugural implementation progress report released in February of 2011. USDA remains committed to responding to comments on the Department's environmental justice efforts and related inquiries. Comments may be addressed to EJSTRATEGY@USDA.GOV.

Appendix:

Pertinent USDA Terms and Definitions

Environmental Justice: To the greatest extent practicable and permitted by law, all populations are provided the opportunity to comment before decisions are rendered on, are allowed to share in the benefits of, are not excluded from, and are not affected in a disproportionately high and adverse manner by government programs and activities affecting the environment and its impact on human health.



Environmental Justice Communities: Minority and/or low-income populations, including American Indian and Alaskan Native populations.

Ensuring Access: To provide, to the greatest extent practicable, the opportunity for environmental justice communities to participate in planning, analysis, and decision making that affects their health or environment, including identification of program needs and designs.

Low-income Population: Any readily identifiable group of low-income persons who live in geographic proximity. Low-income populations may be identified using data collected, maintained, and analyzed by an agency or from analytical tools such as the annual statistical poverty thresholds from the U.S. Census Bureau's Current Population Reports, Series P60, Consumer Income and Poverty.

Minority: A person who is a member of one of the following population groups: American Indian and Alaskan Native; Asian and Pacific Islander; Black, not of Hispanic origin; or Hispanic.